THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 4727 of 2006

Date: 23-06-2006.

Between :

Bandari Anthamma.

…..Petitioner

And

The Director General of Police, Government of Andhra Pradesh & others.

…..Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 4727 of 2006

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

The petitioner contends that Bandari Mallesh and Vaddera Manoher (hereinafter referred to as 'the detenus') were both accused in Crime No.81 of 2005 of Police Station, Narayanpet. Petitioner is the mother of alleged detenu No.1 Bandari Mallesh. On 06.03.2006 at about 6.30 p.m., while both the detenus named above were returning to their native places on being released from District Jail, Mahabubnagar on bail, and when they reached near a bus stand, they were being apprehended by five persons wearing civil dresses and they were taken by them in a jeep. It was stated that they were required for the purpose of investigation. So far, the whereabouts of the alleged detenus were not known, therefore, they approached the 3rd respondent, who refused to give any information.

In the counter-affidavit it has been accepted that the detenus were arrested in connection with a case and were bailed out by the Court. It is submitted that after they were released from the prison, they were not again taken into custody. The case pertains to the murder of a sitting M.L.A. on 15.08.2005, in which, these two detenus were alleged to be involved. But after they were bailed out, there was no reason for anybody to apprehend them, and in case the Police
had not apprehended them, it was still their duty to locate them as they were facing trial in an important case.

The Police, in the counter-affidavit, as usual, stated that, *"We are making hectic efforts to trace the accused and also the other accused who are still absconding"*.

In this view of the matter, we issue a writ of habeas corpus and direct the Superintendent of Police, Mahabubnagar to take all measures to locate the alleged detenus and produce them before this Court as and when they are found. He shall also depute an officer for the purpose of monitoring the progress in searching the alleged detenus. Locating these two persons is all the more important because they have been bailed out by a Court in a case which is serious in nature. The Superintendent of Police, Mahabubnagar shall also file

reports every month before the Registrar (Judicial) of this Court about the progress of the case.

Writ petition is accordingly allowed.

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(BILAL NAZKI, J)

23rd June 2006

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(G. CHANDRAIAH, J)

ajr